

Before the
Federal Communications Commission
Washington, D.C. 20554

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JUN 27 2003

Federal Communications Commission
Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Amendment of 73.202 (b)) MB Docket No. _____
Table of Allotments)
FM Broadcast Stations)
(Rosebud, Texas)

To: John Karousos, Assistant Chief
Audio Division of the
Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Charles Crawford respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 267A at Rosebud, Texas.

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 267A to Rosebud, Texas as that community's first local FM service. Rosebud is an incorporated community with its own zip code and a population of 1,493 persons.¹ Seventy (70) businesses in Rosebud have been given a credit rating by Dun & Bradstreet as of the last quarter of 2000 according to the Texas Almanac 2002/ 2003. Rosebud has its own Mayor, Ernestine Hill-Warren, its own city manager, Miles Shaunfield, its own school system, its own fire department, police department, post office, city offices and a number of local churches. Rosebud is a community that is certainly deserving of a local FM service. The proposed channel 267A will provide additional diversity and an outlet for local self-expression to Rosebud residents and therefore is in the public interest.

In order for Channel 267A to be allotted at Rosebud, Texas, the reference coordinates for the vacant allotment

¹ Texas Almanac 2002/2003

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List ABCDE
FM-MB
03-173

channel 267A at Madisonville, Texas must be moved approximately 6.65 kilometers east. This can be accomplished by requesting that station KNUE, channel 268C at Tyler, Texas be reclassified to a C0. Pursuant to MM Docket 98-93, I am making a formal request for station KNUE in Tyler, Texas to be reclassified from a C to a C0. (See, Attachment A, Request to Reclassify statement)

Attached hereto is a channel study confirming that Channel 267A can be allocated to Rosebud, Texas, consistent with the FCC's FM separation rules, provided the reference coordinates for the vacant allotment at Madisonville, Texas are moved east and that KNUE, Channel 268C at Tyler, Texas is reclassified from a C to a C0. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment B)

The reference coordinates for Channel 267A at Rosebud, Texas are:

31 01 44 N
97 03 31 W

Attached hereto is a channel study confirming that the vacant allotment for Channel 267A at Madisonville, Texas can be moved approximately 6.65 kilometers east, consistent with the FCC's FM separation rules, provided that station KNUE, Channel 268C at Tyler, Texas is reclassified from a C to a C0. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment C)


The new reference coordinates for the vacant allotment, Channel 267A at Madisonville, Texas are:

31 02 22 N
95 51 00 W

Should this petition be granted and Channel 267A be allotted to Rosebud, Texas, Petitioner will apply for Channel 267A at Rosebud and after it is authorized, will promptly construct the new facility.

The factual information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,



Charles Crawford
4553 Bordeaux Ave.
Dallas, Texas 75205
(214) 520-7077 Tele
(214) 443-9308 Fax

cc: Gene A. Bechtel, Law Office of Gene Bechtel, Suite
600, 1050 17th Street, N.W., Washington, D.C. 20036,
telephone (202) 496-1289, telecopier (301) 762-0156,
attorney for Charles Crawford. It is requested that the
Commission and any parties who may file pleadings in the
captioned matter serve copies to Mr. Bechtel as well as
Charles Crawford.

June 18, 2003

Attachment A

(Request to Reclassify station KNUE, Tyler, Texas)

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Charles Crawford
4553 Bordeaux Ave.
Dallas, Texas 75205

Petition for Rule Making
FM Channel 267A
Rosebud, Texas
June 19, 2003

Attachment A

Request to Reclassify
Station KNUE(FM), Tyler, Texas
Pursuant to MM Docket 98-93

Radio Station KNUE(FM), Tyler, Texas is licensed to Capstar TX Limited Partnership, 2625 S. Memorial Drive, Suite A, Tulsa, Oklahoma 74129. (Facility ID 25585), FCC File No. BLH 19850307KT. The facility operates with a power of 100 kilowatts with center of radiation 327 meters height above average terrain. The above captioned Docket 98-93 provides the mechanism to automatically downgrade a Class C facility to Class C0 when a demand is made for the spectrum, as is the case here. Charles Crawford respectfully requests that the license of Radio Station KNUE(FM) be modified to specify operation on FM Channel 268C0 instead of on FM Channel 268C in accordance with the above Docket which provides for such downgrades when a demand for the unused spectrum is made, as is the case here.

Charles Crawford, the proponent of Channel 267A/ Rosebud, Texas, in accordance with the above Docket, formally requests that the Commission reclassify Radio Station KNUE(FM) as a Class C0 facility. Charles Crawford certifies that no alternative channel is available for the service he proposes at Rosebud, Texas as is proposed in the Petition for Rule Making. A copy of this Petition for Rule Making is being served on Capstar TX Limited Partnership, as is required in the above Docket.

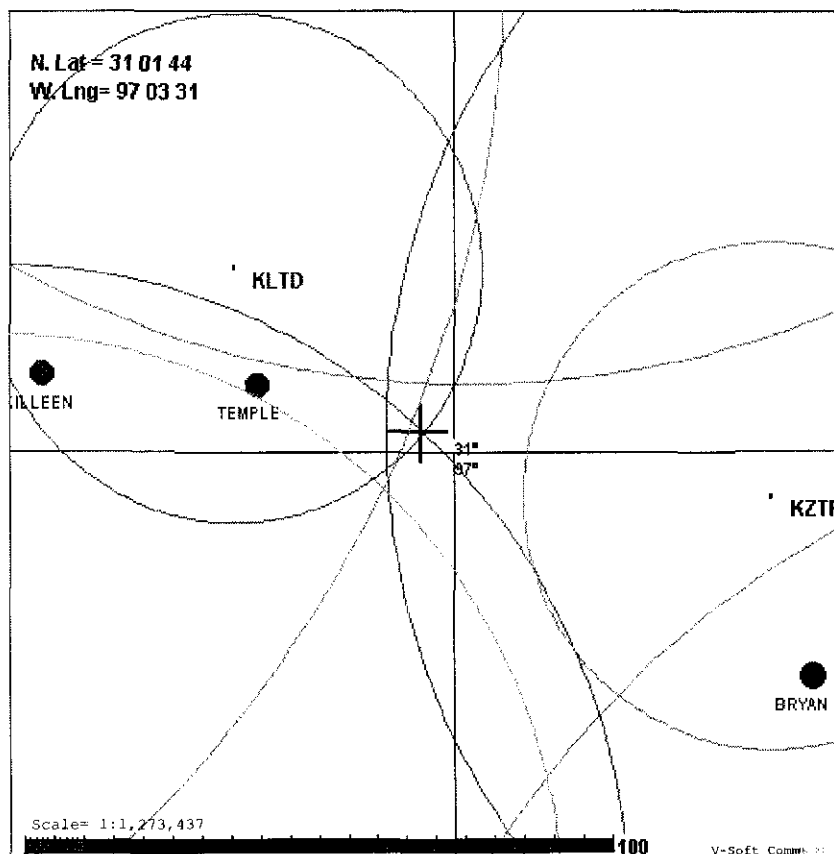


Charles Crawford

Attachment B

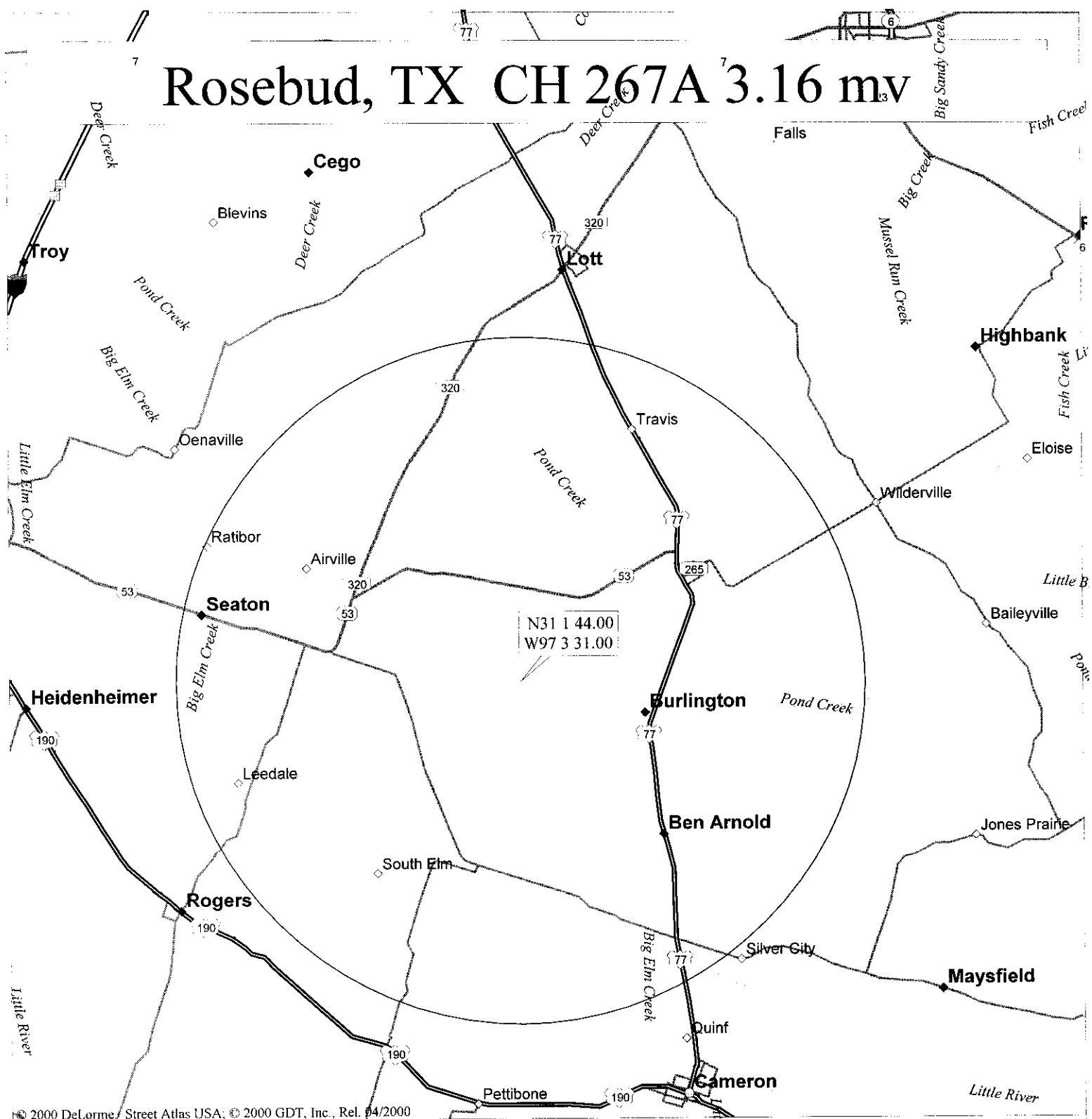
(Channel study for Channel 267A at Rosebud, Texas)

FM PROSP^(TM) LOCATE STUDY CH 267 A 101.3 MHz
Study



| Call | CH# | Type | Location | | D-KM | Azi | FCC | Margin |
|--------|-------|-------|--------------|----|--------|-------|-------|--------|
| ALLO.V | 267A | VAC | Madisonville | TX | 109.04 | 90.1 | 115.0 | -5.96 |
| KROXFM | 268C2 | LIC N | Buda | TX | 105.65 | 222.3 | 106.0 | -0.35 |
| KLTD | 269C3 | LIC | Temple | TX | 41.77 | 310.7 | 42.0 | -0.23 |
| KOXE | 267C1 | LIC | Brownwood | TX | 202.09 | 293.2 | 200.0 | 2.09 |
| WRR | 266C | LIC | Dallas | TX | 173.24 | 2.8 | 165.0 | 8.24 |
| KASEFM | 264C* | LIC | Austin | TX | 106.09 | 222.2 | 95.0 | 11.09 |
| KZTR | 270C3 | LIC | Franklin | TX | 60.25 | 99.9 | 42.0 | 18.25 |
| KLOL | 266C | LIC | Houston | TX | 219.38 | 137.0 | 165.0 | 54.38 |

Rosebud, TX CH 267A 3.16 mV



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Mag 11.00

Thu Jun 19 11:02 2003

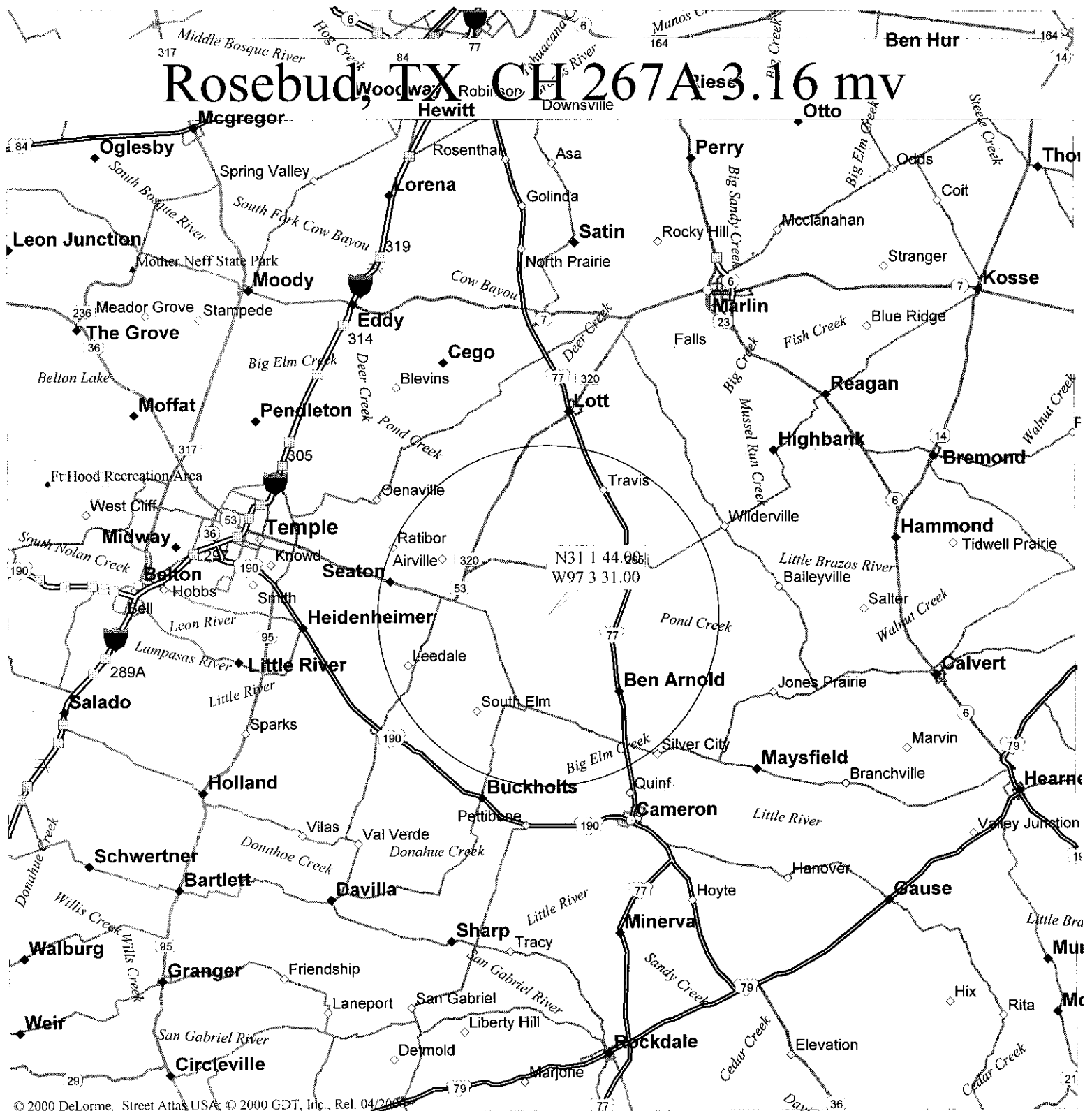
Scale 1:250,000 (at center)

5 Miles

5 KM

- Local Road
- US Highway
- Interstate/Limited Access
- Major Connector
- State Route
- Exit
- County Seat
- Small Town
- Locale
- Water
- River/Canal
- Intermittent River

Rosebud, TX CH 267A 3.16 mv



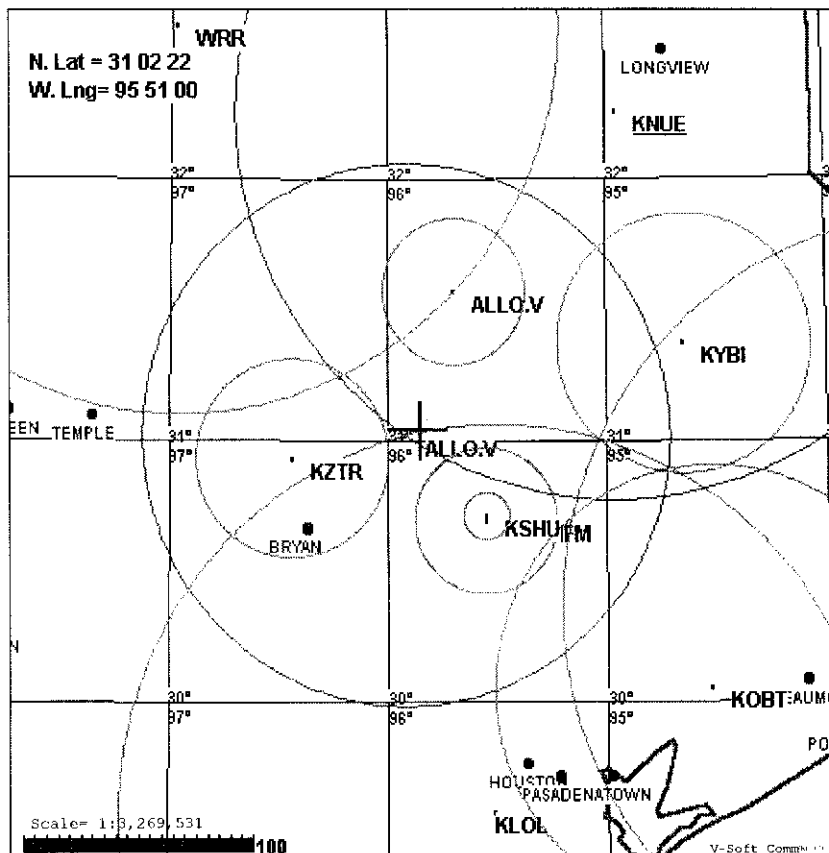
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 Scale 1:500,000 (at center)
 10 Miles
 10 KM

- | | |
|-------------------------------|--------------------|
| — Local Road | Exit |
| — Interstate/Unlimited Access | ○ County Seat |
| △ Rest Area | ● Small Town |
| — US Highway | ◆ Large City |
| — Interstate/Limited Access | ▲ Park/Reservation |
| △ Rest Area with facilities | ◇ Locale |
| — Major Connector | Land |
| — State Route | Water |

Attachment C

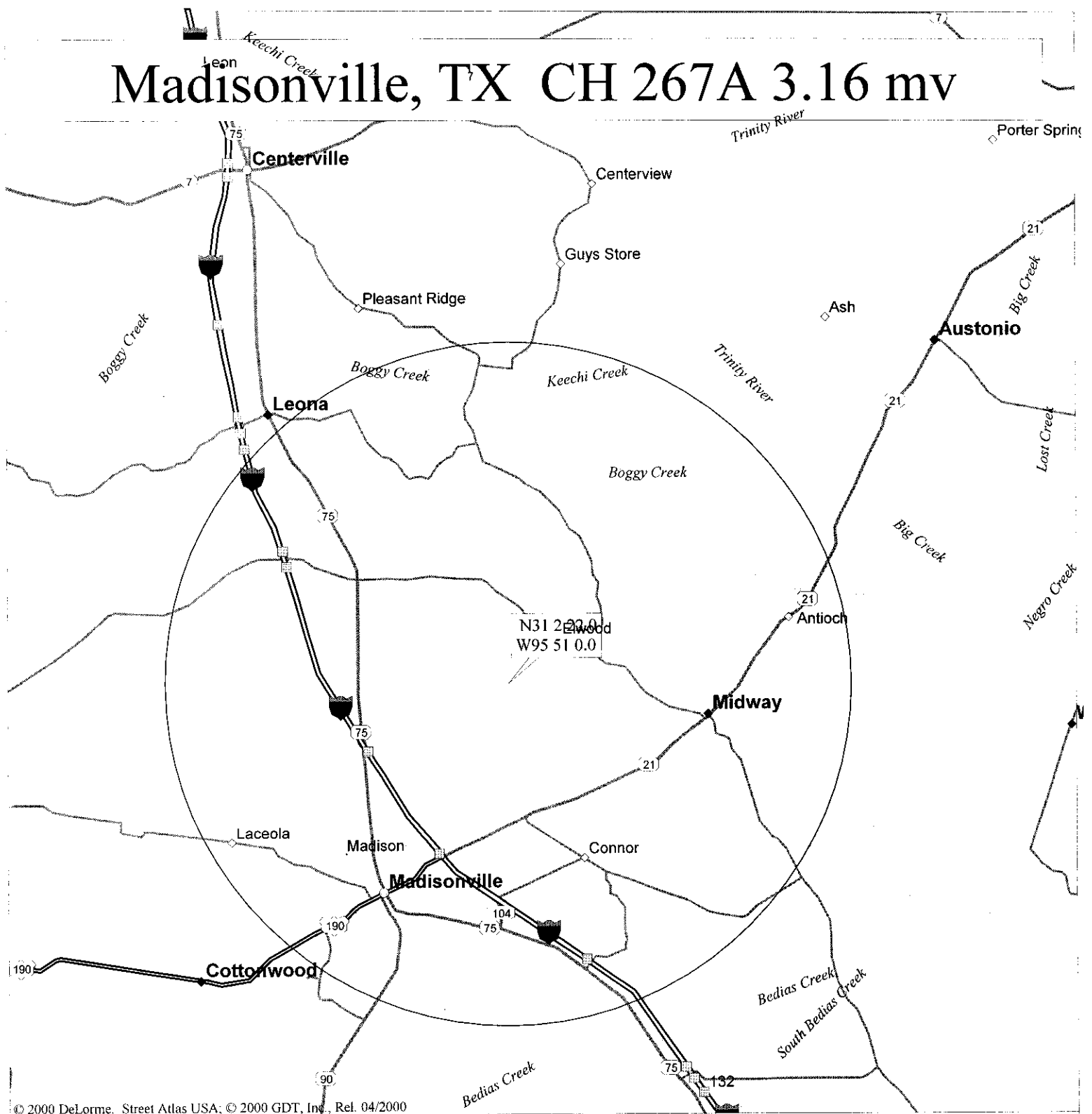
(Channel study for new reference coordinates for the vacant allotment, Channel 267A at Madisonville, Texas)

FM PROSP^(TM) LOCATE STUDY CH 267 A 101.3 MHz
Study



| Call | CH# | Type | Location | | D-KM | Azi | FCC | Margin |
|--------|-------|-------|--------------|----|--------|-------|-------|---------|
| ALLO.V | 267A | VAC | Madisonville | TX | 6.65 | 253.2 | 115.0 | -108.35 |
| KNUE | 268C* | LIC | Tyler | TX | 159.95 | 31.9 | 165.0 | -5.05 |
| KLOL | 266C | LIC | Houston | TX | 165.48 | 168.6 | 165.0 | 0.48 |
| KZTR | 270C3 | LIC | Franklin | TX | 57.31 | 258.4 | 42.0 | 15.31 |
| KSAMFM | 269A | LIC | Huntsville | TX | 47.49 | 143.2 | 31.0 | 16.49 |
| ALLO.V | 265A | VAC | Elkhart | TX | 60.43 | 13.8 | 31.0 | 29.43 |
| KSHU | 213A | LIC | Huntsville | TX | 46.14 | 141.5 | 10.0 | 36.14 |
| WRR | 266C | LIC | Dallas | TX | 201.92 | 328.8 | 165.0 | 36.92 |
| KYBI | 270C2 | LIC N | Huntington | TX | 120.43 | 72.0 | 55.0 | 65.43 |
| RADD | 264C | ADD | Lumberton | TX | 167.68 | 130.6 | 95.0 | 72.68 |
| RDEL | 264C | DEL | Winnie | TX | 167.68 | 130.6 | 95.0 | 72.68 |
| KOBT | 264C | LIC | Winnie | TX | 167.68 | 130.6 | 95.0 | 72.68 |
| ALLO.V | 267C2 | VAC | Sulphur | LA | 239.56 | 108.0 | 166.0 | 73.56 |

Madisonville, TX CH 267A 3.16 mv



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Mag 11.00

Thu Jun 19 11:22 2003

Scale 1:250,000 (at center)

5 Miles

5 KM

- | | |
|-----------------------------|--------------------|
| — Local Road | ◇ Locale |
| — US Highway | Land |
| — Interstate/Limited Access | Water |
| — Major Connector | River/Canal |
| — State Route | Intermittent River |
| ■ Exit | |
| ○ County Seat | |
| ◆ Small Town | |

CERTIFICATE OF SERVICE

I, Charles Crawford, hereby certify that on this 18th day of June, 2003, I caused copies of the foregoing "Petition for Rule making for Rosebud, Texas" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons:

Ms. Marlene Dortch
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
12th Street Lobby-TW-A325
Washington, D.C. 20554

Gene Bechtel, Esq.
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Washington, D.C. 20036-5517
(Counsel for Petitioner)

Capstar TX Limited Partnership
Station KNUE
2625 S. Memorial Drive, Suite A
Tulsa, Oklahoma 74129



Charles Crawford

Rosebud